

**REMARKS**

Claims 1-14 are all the claims pending in the application.

I. **Priority Document**

In the Office Action Summary, the Examiner acknowledges Applicants' claim for foreign priority and indicates that a certified copy of the priority document has not been received.

Applicants respectfully submit that a certified copy of the priority document has been submitted on January 12, 2005. Accordingly, the Examiner is respectfully requested to acknowledge receipt of the certified copy of the priority document in the next PTO communication to Applicants.

II. **Response to Rejection Under 35 U.S.C. § 102**

In Paragraph No. 2 of the Action, claims 1, 2, 4, 6, and 8-14 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Shiota et al (U.S. Pat. No. 6,190,833).

Applicants respectfully traverse the rejection for at least the following reasons.

Shiota et al discloses a radiation-sensitive resin composition comprising a phenol resin (A), an amino resin (B), a compound having two or more crosslinking groups in a molecule (C), and a halomethyl-1,3,5-triazine compound (D) (Abstract; claim 1).

However, Shiota et al does not specifically disclose a compound containing at least two of a hydroxymethyl group, an alkoxyethyl group and an acyloxyethyl group bonded to a benzene ring. Specifically, Shiota et al discloses in the examples bisphenol A type epoxy resin, novolak type epoxy resin, 2,2'-[(1-methylethylidene)bis(4,10phenyleneoxyethylene)] bisthiirane and 1,4-bis[(3-ethyl-3-oxetanylmethoxy)methyl]benzene as Component (C).

In view of the above, Applicants respectfully submit that Shiota et al does not teach or disclose the present invention and that the rejection should be withdrawn.

III. Response to Rejection Under 35 U.S.C. § 103

In Paragraph No. 4 of the Action, claims 1-3, 5, 6 and 8-14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shiota et al.

Applicants respectfully submit that the present invention is not anticipated or rendered obvious by Shiota et al.

As discussed in the preceding rejection, Shiota et al does not specifically disclose a compound containing at least two of a hydroxymethyl group, an alkoxyethyl group and an acyloxyethyl group bonded to a benzene ring. Even if a *prima facie* case of obviousness could be established based on Shiota et al, which cannot, the negative resist composition of the present invention provides unexpectedly superior results which rebut any *prima facie* case of obviousness and establish the patentability of the present invention.

Applicants submit herewith a Declaration under 37 C.F.R. § 1.132 of Mr. Shoichiro Yasunami, a co-inventor of the present invention. As explained below, the Declaration demonstrates the unexpected superiority of the present invention and thus supports the patentability of the present invention over Shiota et al.

In the Declaration, negative resist compositions of Example A and Comparative Example A were prepared in the same manner as described in Example 1 of the specification of the present application. Example A and Comparative Example A have the same constitution except that a phenol-type crosslinking agent MM-1 was used in Example A while novolak type epoxy

resin C-2 was used in Comparative Example A. Comparative Example A is the same as Example 6 of Shiota et al.

Resist films were prepared by using the negative resist compositions of Example A and Comparative Example A and patterns thereof were formed by an electron-beam drawing in the same manner as described in Example 1 of the specification of the present application. The thus-obtained patterns were evaluated in terms of sensitivity, resolution, profile shape and line edge roughness, in the same manner as described in Example 1 of the specification of the present application. The results are summarized in the following table:

	Sensitivity ( $\mu\text{C}/\text{cm}^2$ )	Resolution ( $\mu\text{m}$ )	Pattern Profile	Line Edge Roughness ( $\mu\text{m}$ )
Example A	8.5	0.09	Rectangular	0.09
Comparative Example A	12.5	0.10	Taper	0.15

As is apparent from the above table, Example A of the present invention using the phenol-type crosslinking agent exerts unexpectedly superior effects in comparison to Shiota et al, particularly in terms of sensitivity, profile shape and line edge roughness.

In view of the above, Applicants respectfully submit that the present invention is not obvious over Shiota et al and that the rejection should be withdrawn.

#### IV. Response to Claim Objection

In Paragraph No. 5 of the Action, claims 4 and 7 are objected to as being dependent upon a rejected base claim.

RESPONSE UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 10/642,291

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Applicants respectfully submit that the rejections of claim 1, from which claims 4 and 7 depend primarily or secondarily, have been overcome as set forth above. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: March 15, 2005